



12-31-03 image

RCE/2813
EL979949448

PTO/SB/30 (5/2000)

OMB 0651-0031

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|---------------|
| Application Number | 10/086,942 |
| Filing Date | March 1, 2002 |
| First Named Inventor | Basceri |
| Group Art Unit | 2813 |
| Examiner Name | Huynh |
| Attorney Docket Number | MI22-1951 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply (Response to 10/23/03 FINAL Office Action)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS) w/PTO-1449 and copy of cited references.
- iv. ☒ Other PTO Return Postcard/COPY of 9/2/03 Supp. IDS for initialing.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0925
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (deficiencies only)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (deficiencies only)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 942 enclosed (Chk. #141401)
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------------|-----------------------------------|----------|
| Name (Print/Type) | David G. Latwesen, Ph.D. | Registration No. (Attorney/Agent) | 38,533 |
| Signature | | Date | 12/29/03 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or to be transmitted to the U.S. Patent and Trademark Office on:

| | |
|-------------------|--|
| Name (Print/Type) | |
| Signature | |
| Date | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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EL979949448

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL

for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 942

Complete if Known

| | |
|----------------------|---------------|
| Application Number | 10/086,942 |
| Filing Date | March 1, 2002 |
| First Named Inventor | Basceri |
| Examiner Name | Huynh |
| Art Unit | 2813 |
| Attorney Docket No. | MI22-1951 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account: (Chk. # 141401)

Deposit Account Number: 23-0925
Deposit Account Name: Wells St. John P.S.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. (deficiencies only)

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|-----------|
| 1001 740 | 2001 370 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 510 | 2003 255 | Plant filing fee | |
| 1004 740 | 2004 370 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 770 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 18
Independent Claims: 5
Multiple Dependent: 13
Extra Claims: 0
Fee from below: 86
Fee Paid: 172

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|-----------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$) 172 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 2053 130 | Non-English specification | |
| 1812 2,520 | 2812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 2804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 2805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 400 | 2252 200 | Extension for reply within second month | |
| 1253 920 | 2253 460 | Extension for reply within third month | |
| 1254 1,440 | 2254 720 | Extension for reply within fourth month | |
| 1255 1,960 | 2255 980 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 2451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,280 | 2453 640 | Petition to revive - unintentional | |
| 1501 1,280 | 2501 640 | Utility issue fee (or reissue) | |
| 1502 460 | 2502 230 | Design issue fee | |
| 1503 620 | 2503 310 | Plant issue fee | |
| 1460 130 | 2460 130 | Petitions to the Commissioner | |
| 1807 50 | 2807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 2806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 28021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 740 | 2809 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 740 | 2810 370 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 740 | 2801 370 | Request for Continued Examination (RCE) | 770 |
| 1802 900 | 2802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 770

SUBMITTED BY

| | | | | | |
|-------------------|--------------------------|-----------------------------------|---------|-----------|--------------|
| Name (Print/Type) | David G. Latwesen, Ph.D. | Registration No. (Attorney/Agent) | 38,533 | Telephone | 509-624-4276 |
| Signature | | Date | 12/5/02 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



EL979949448

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/086,942
Confirmation No. 3748
Filing Date March 1, 2002
Inventor..... C. Basceri
Assignee..... Micron Technology, Inc.
Group Art Unit..... 2813
Examiner Y.B. Huynh
Attorney's Docket No. MI22-1951
Customer No. 021567
Title: Capacitor Constructions Comprising Perovskite-Type Dielectric Materials

RESPONSE TO OCTOBER 23, 2003 FINAL OFFICE ACTION,
RESPONSE ACCOMPANYING AN RCE FILING

To: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: David G. Latwesen, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

AMENDMENTS